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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,742	01/06/2006	Hiroshi Shiho	268844USOPCT	8533
22850 7590 06/08/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER CHEN, KIN CHAN	
			ART UNIT 1765	PAPER NUMBER
			NOTIFICATION DATE 06/08/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/529,742

Applicant(s)

SHIHO ET AL.

Examiner

Kin-Chan Chen

Art Unit

1765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on April 25, 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's amendments and responses including inventor submitted declaration under 37 C.F.R. § 1.132 on April 25, 2007) are deemed persuasive to overcome the previous rejections over Hasegawa (US 2002/0173231) and Shiho et al. (US 2004/0118051).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language. (* filing after Nov. 29, 2000*)

Claim Rejections - 35 USC § 102

3. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Hosaka et al. (US 2004/0203320).

Hosaka (abstract; [00185][00187][00189]) teaches a polishing pad for a semiconductor wafer, which comprises a substrate for a polishing pad provided with a through hole penetrating from surface to back, a light transmitting part fitted in said through hole. Hosaka teaches that the light transmitting part comprises a water-

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insoluble matrix material and a water-soluble particle dispersed in said water-insoluble matrix material, and wherein a content of said water-soluble particle may be not less than 0.5% by volume and less than 5% by volume based on 100% by volume of the total amount of said water-insoluble matrix material and said water-soluble particle. The thickness of the light transmitting part may be 2.5 mm which is within the claimed range (0.1mm to 3 mm).

The limitations of claims 1, 9, 19, and 25 have been addressed above and rejected for the same reasons, *supra*.

As to dependent claims 2, 3, 20, and 21, Hosaka teaches that crosslinked polymer may be crosslinked 1,2-polybutadiene. See abstract.

As to dependent claims 4 and 22, Hosaka teaches that light transmitting part may be thinned. See Figures.

As to dependent claims 5 and 23, see [0093].

As to claim 6, Hosaka (abstract; [00185][00187][00189]) teaches a polishing pad for a semiconductor wafer, which comprises a substrate for a polishing pad provided with a through hole penetrating from surface to back, a light transmitting part fitted in said through hole, and a fixing layer formed on a backside of at least the substrate for a polishing pad and the light transmitting part for fixing to a polishing apparatus ([0153][0157]; Fig. 24). Hosaka teaches that the light transmitting part comprises a water-insoluble matrix material and a water-soluble particle dispersed in said water-insoluble matrix material, and wherein a content of said water-soluble particle may be not less than 0.5% by volume and less than 5% by volume based on 100% by volume

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of the total amount of said water-insoluble matrix material and said water-soluble particle. The thickness of the light transmitting part may be 2.5 mm which is within the claimed range (0.1mm to 3 mm).

As to dependent claims 7 and 24, Hosaka teaches that a supporting layer laminated on a backside of said polishing pad for a semiconductor wafer, wherein said laminate body has light transmitting properties in a laminated direction. See Fig. 24; [0153][0157].

As to claim 18, the discussion of claim 1 from above is repeated here. In addition, [00185][00187][00189] of Hosaka also show that the water-insoluble matrix material and a water-soluble particle in the substrate and the light transmitting part may be the same. Hosaka [0080] also discloses that the content of the water-soluble particle in the substrate encompassing the claimed range.

Claims 8, 10-17, 26, and 27 are also rejected for the same reasons, supra.

Response to Arguments

4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

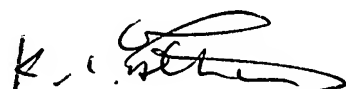
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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kin-Chan Chen whose telephone number is (571) 272-1461. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 31, 2007



Kin-Chan CHEN
KIN-CHAN CHEN
PRIMARY EXAMINER